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SENATE BILL 150

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Allen V. Hurt

AN ACT

RELATING TO INSURANCE; REQUIRING ASSIGNMENT OF HEALTH CARE
CLAIMS TO PROVIDERS; ENACTING A SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new Section 59A-2-9.4 NMSA 1978 is enacted
to read:

"59A-2-9.4. [NEW MATERIAL] MANDATORY ASSIGNMENT OF HEALTH
CLAIMS. --

A. As used in this section:

(1) "assignment" means the transfer from a
patient of the right to collect a claim payment to the provider
who rendered the treatment, good or service;

(2) "claim" means a demand for payment that
identifies a treatment, good or service as reimbursable under
the health care plan; and

1 (3) "health care plan" means a program that
2 provides hospital, surgical or medical expenses benefits to
3 subscribers or their dependents, as defined by the terms of the
4 plan, directly through insurance, reimbursement or other means.

5 B. Claims shall be paid on the basis of assignment
6 to the provider of the health care service. The provider shall
7 not collect any payment from the patient except a co-payment,
8 coinsurance, deductible or other amount for which the patient
9 is liable under the health care plan.

10 C. Claims shall be paid pursuant to Section
11 59A-2-9.2 NMSA 1978. "